

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

March 17, 2021

8:04 a.m.

MEMBERS PRESENT

Representative Harriet Drummond, Co-Chair
Representative Andi Story, Co-Chair
Representative Tiffany Zulkosky (via teleconference)
Representative Grier Hopkins
Representative Mike Prax
Representative Mike Cronk
Representative Ronald Gillham

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 43

"An Act extending the termination date of the special education service agency; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 43

SHORT TITLE: EXTEND SPECIAL EDUCATION SERVICE AGENCY

SPONSOR(S): REPRESENTATIVE(S) STORY

02/18/21	(H)	PREFILE RELEASED 1/8/21
02/18/21	(H)	READ THE FIRST TIME - REFERRALS
02/18/21	(H)	HSS, FIN
02/19/21	(H)	EDC REPLACES HSS REFERRAL
02/19/21	(H)	BILL REPRINTED
03/17/21	(H)	EDC AT 8:00 AM DAVIS 106

WITNESS REGISTER

MARY HAKALA, Staff
Representative Andi Story
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 43 on behalf of Representative Story, prime sponsor.

KRIS CURTIS

Legislative Budget and Audit

Juneau, Alaska

POSITION STATEMENT: Presented and answered questions during the hearing of HB 43.

PATRICK PILLAI

Executive Director, Special Education Service Agency

Anchorage, Alaska

POSITION STATEMENT: Presented and answered questions during the hearing of HB 43.

BEN GRIESE, Special Education Teacher

South West Region School District

City & State

POSITION STATEMENT: Testified during the hearing of HB 43.

NATALIE VORON, Special Education Teacher

Sitka School District

Sitka, Alaska

POSITION STATEMENT: Testified during the hearing of HB 43.

ACTION NARRATIVE

[8:04:14 AM](#)

CO-CHAIR HARRIET DRUMMOND called the House Education Standing Committee meeting to order at 8:04 a.m. Representatives Zulkosky (via teleconference), Cronk, Gillham, Hopkins, Story, and Drummond were present at the call to order. Representative Prax arrived as the meeting was in progress.

HB 43-EXTEND SPECIAL EDUCATION SERVICE AGENCY

[8:05:00 AM](#)

CO-CHAIR DRUMMOND announced that the only order of business would be HOUSE BILL NO. 43, "An Act extending the termination date of the special education service agency; and providing for an effective date."

[8:05:17 AM](#)

CO-CHAIR STORY, as prime sponsor, introduced HB 43.

8:08:20 AM

MARY HAKALA, Staff to Representative Story, provided an overview of supporting documents [included in the committee packet], beginning with sectional analysis of HB 43, Special Education Service Agency (SESA) - Sunset Extension, which served Special Education high-needs students wherever they lived in Alaska. Section 1 extended the sunset [termination] date for SESA to June 30, 2029; Section 2 provided for an immediate effective date upon passage of HB 43. Children served by SESA had complex disorders including deafness and blindness, were developmentally and physically impaired, severely emotionally disturbed, and were students with multiple disabilities, she shared. The staff at SESA worked both directly and remotely with teachers, paraprofessionals, and parents, she added.

MS. HAKALA shared SESA's funding formula/rate [included in members' packets], which was \$18.65 multiplied by the statewide foundation average daily membership count, [the student count from previous fiscal year], which has remained unchanged since 2013. She shared SESA's caseload has grown from 206 students in 2012 to 335 students in 2020, a 63 percent increase, with no adjustment to the rate.

8:13:02 AM

KRIS CURTIS, Legislative Budget and Audit, directed attention to page 5 of the SESA audit report, first outlining the creation of SESA: SESA was created to help Alaska's school districts provide special education services to individuals with a low incidence disability (LID), she shared. Occurring in less than 1 percent of the national school-aged population, LIDs are more severe in nature and required specialized educational intervention, she added, and continued with further information about its inception: SESA was established as a nonprofit corporation whose governing authority was the Governor's Council on Disabilities and Special Education, organizationally located within the Department of Health and Social Services (DHSS). However, SESA's primary service, the LID Outreach Program, is budgeted and funded by Department of Education and Early Development (DEED), she explained. Funding for SESA provided additional financial support to help ensure students affected by LIDs were receiving the free and appropriate public education required by state and federal law, she shared.

MS. CURTIS explained SESA services were available to districts whose low incidence special education needs occurred infrequently, making it difficult for the district to serve low numbers of students in need of a particular service. Furthermore, SESA recruited, trained, and retained education specialists to provide special education technical assistance and training to parents, students, and district staff without regard to location in the state. She drew members' attention to a map on page 8 of her presentation, which showed the location and number of students served by SESA: 335 students across 48 districts. This information was also located in Appendix C to the audit report, beginning on page 27 and broken down by LID category, she added.

[8:15:39 AM](#)

MS. CURTIS continued with report conclusions on page 11: overall, the audit concluded SESA has served the public's interest by assisting school districts in providing students affected by LIDs an education to meet the students' unique needs; by providing opportunities to enhance teachers' and paraprofessionals' capabilities; and by providing LID and special education resources. Ms. Curtis shared the recommendation SESA be extended eight years, the maximum length of time allowed in statute. According to Ms. Curtis, as part of the audit, a survey was sent to the 51 school district special education directors served by SESA. Thirty district directors responded, a 59 percent response rate, a little lower than was expected, she pointed out, which may be pandemic-related. In general, survey respondents viewed SESA services, staff availability, and expertise favorably, she stated. Survey questions and responses were included in Appendix C of the report, she added.

MS. CURTIS repeated the details of the formula Ms. Hakala had presented in her opening remarks, expounding on them by adding that although SESA's LID caseload had significantly increased, the agency did not request an increase in funding to allow for additional staff due to declining state operating budgets and challenges with recruiting and retaining specialists. As a result, education specialists serving certain LID categories experienced high caseloads, and as of February 2020, the agency had three educational specialist vacancies. A statutory funding formula that incorporated inflation would help ensure SESA's LID funding was not reduced by the passage of time, she imparted.

[8:17:30 AM](#)

MS. CURTIS reviewed recommendations and audit response on page 18: the auditors had reviewed 42 students' files and found that five students' disabilities [12 percent], as identified in the school district referral form, had been reclassified by a SESA education specialist without having provided adequate documentation. Additionally, four of the five student files lacked documentation to show SESA staff communicated the students' revised disability category to school district personnel. School district staff determined a student's eligibility for special education services, obtained the necessary parental signature[s], and provided SESA the supporting documentation that included the student's disability on the required written referral. In some instances, SESA staff reclassified a student's disability based on a specialist's assessment of a student's educational needs, she shared.

MS. CURTIS shared responses to the audit on page 35: generally, Commissioner Michael Johnson, DEED, the DHSS, and SESA concurred with report conclusions and recommendations.

[8:18:53 AM](#)

CO-CHAIR DRUMMOND asked about the funding formula related to the number of students with LIDs.

MS. CURTIS said the formula was based on the average daily membership (ADM), or fall [student] count. If the ADM went down, funding would also go down, she stated. At the time of the last sunset audit in 2012, the rate hadn't changed in 14 years. The current rate has been in place for eight years, she stated.

[8:20:41 AM](#)

REPRESENTATIVE HOPKINS asked if the formula could be changed at any point, not just within HB 43.

MS. CURTIS replied yes.

[8:20:57 AM](#)

CO-CHAIR STORY commented it was helpful to survey districts and asked if it was common practice to get a response to the audit confirming steps had been followed.

MS. CURTIS replied there was always a formal response from management included in the back of an audit. She added in most cases corrective action was also provided.

8:22:12 AM

CO-CHAIR DRUMMOND commented serving 53 school districts was a lot of management and confirmed 60 percent had been received on the survey.

MS. CURTIS replied that management from an audit perspective would entail with whom the audit would be done, which was determined to be the SESA board chair and the two commissioners that oversaw departments. The goal was to determine SESA was serving the public and had expertise and quality, and the survey was an excellent means of obtaining that information.

8:23:47 AM

PATRICK PILLAI, Executive Director, Special Education Service Agency, provided a PowerPoint presentation, titled "SESA Introduction." He directed attention to slide 2, SESA's website [www.sesa.org], which contained its mission statement: "SESA provides consultation and training to support the unique educational needs of individuals and the Alaskan communities that serve them." The legacy of SESA support followed the Individuals with Disabilities Act (IDEA) of 1975 reauthorized in 2004 and amended in 2015 to the "Every Student Succeeds Act," and which demanded a free and public education to students with disabilities, he imparted; SESA helped parents and school district staff make tangible, through specialized educational interventions, the services mandated by special education law.

8:26:01 AM

MR. PILLAI went over statute AS 14.30.630(b)(1), which required SESA to provide special education services, including access to specialists and other resources, to LID students. Through the "qualification" statute AS14.30.350, SESA was able to provide students who fit outside the LID realm, such as those with Autism. The "Logic Model" presented on slide 6 captured the process of delivering specialized services to parents, students, and districts with the intent of addressing the gap via solutions that promoted availability of SESA services through on-site and distance support. The approach created broad participant training, [indisc.] staff turnover, and promoted collaboration between teachers and paraprofessionals, he shared.

MR. PILLAI stated SESA's approach reduced isolation and promoted teacher retention, especially in remote areas. Benchmarks were created to ensure SESA was holding itself to a high standard, he said, adding benchmarks provided a threshold of expectation and guided specialist expectation for continuous improvement. The flow of service delivery was designed to gather information and meet site needs, he stated. "Technical Assistance" was demystified on slide 8, Mr. Pillai going over the continuum of service including student observations, assessments, educational interventions, modeling of strategies, in-service trainings, and many more pertinent activities based on requests from educational team members. Specialists also worked with vendors to help deal with device malfunction, he shared.

8:28:18 AM

MR. PILLAI shared on slide 9 that by using feedback on the annual public audit and sunset legislative audits, SESA had designed a program and specialist evaluation system using metrics in which each specialist would be evaluated annually using a standardized evaluation form, and in which each specialist, post provision of service, would email an agency-designed satisfaction survey to service recipients. The satisfaction survey would be analyzed for indicators including quality of service, level of preparedness, coordination with site staff, preferred mode of technical assistance, and use of evidence-based practices. Evaluations were also used to collect data on various aspects of agency activity, he shared. These metrics focused on mission-centric activities such as site travel, creation of educational materials, training, and in-services, and writing of student service reports, he stated. On slide 11 Mr. Pillai shared a visual example of the customized management system SESA designed to ensure data-driven decision making. Individual reports provided data on specialist activity, allowing for measurement of productivity, and were completed within the agency timeframe of ten working days.

8:30:28 AM

MR. PILLAI shared slide 12, an example of electronic versions of student records, and slide 13, a line graph of number of students between 2011 and 2020. The solid blue line showed a steady increase on SESA's LID caseload, he pointed out, while slide 14 showed a history of SESA fund balance. The last funding increase was in 2013, he pointed out.

[8:32:05 AM](#)

MR. PILLAI shared slide 15, the legislative audit report from November 12, 2020, which concurred SESA met the needs of students with LIDs, provided opportunities to enhance teachers' and paraprofessionals' capabilities, and provided LID and special education resources to staff, and concluded with a recommendation for reauthorization. Reauthorization was requested by SESA, Mr. Pillai shared, so as to continue to offer key services to the state which included all the areas of technical assistance reviewed earlier in the presentation, he stated. The database allowed SESA to run reports of productivity, he imparted. Slide 17 captured activities of technical assistance, the number of schools and districts served, the number of trainings conducted on-site and via distance delivery, as well as an analysis of expenses, he shared.

[8:33:47 AM](#)

REPRESENTATIVE GILLHAM asked how many employees SESA had.

MR. PILLAI replied 20 full employees: one administrator [Mr. Pillai]; one administrator-in-training; 14 technical specialists who traveled to school districts; one technologist; one librarian, and two program assistants.

[8:34:30 AM](#)

CO-CHAIR STORY asked whether SESA had adequate funding to keep its resource library, specifically literature pertaining to Autism, current.

MR. PILLAI replied yes, adding the library was updated frequently and districts could test materials before adopting them. He added between the LID program and the Alaska Autism Resource Center resources were plentiful.

CO-CHAIR STORY asked about distance trainings and how often staff participated in video conferences with families, even before COVID-19.

MR. PILLAI replied that the decision to move to video technology was a product of availability of resources and previous legislative audits. He added it had come up that investment in technology represented cost savings to the state, and as such SESA had invested in technology to supplement onsite visits with

Zoom meetings. During COVID-19, families who had already established in-person contact fared better than those who had to begin the process over Zoom, he related.

CO-CHAIR STORY asked if SESA had received COVID-19 funds to help during the pandemic.

MR. PILLAI replied no, Alaska CARES Act funding began at 50 employees, and SESA did not qualify because it had 20 employees.

8:39:50 AM

CO-CHAIR DRUMMOND asked about the 464 distance-delivered activities; whether each activity involved one student, or if they were combined based on needs.

MR. PILLAI replied most activities were single-student-based unless a site requested in-service trainings for entire schools or multiple teachers.

CO-CHAIR DRUMMOND confirmed "hands-on activities" were done via a specialist working remotely guiding the teacher.

MR. PILLAI affirmed that. He explained for students with emotional disabilities, a school in crisis mode needed to be viewed in real time via Nest cameras and other intervention techniques. When behavior was deescalated, aides were sometimes not needed, he added.

CO-CHAIR DRUMMOND asked if additional equipment needed to be acquired, since SESA switched to a distance model.

MR. PILLAI replied no massive update had been required as SESA had already been using technology effectively for several years.

8:45:56 AM

BEN GRIESE, Special Education Teacher, South West Region School District, advocated for SESA, especially in rural parts of Alaska such as his village of New Stuyahok with inconsistently reliable technology and a high rate of teacher turnover. He provided examples of SESA's impact regarding training teachers and advocating for students. He related that the four teaching awards he has received over the last seven years should all be credited to SESA; that he could not have earned them without the organization.

8:49:14 AM

CO-CHAIR DRUMMOND asked how many people lived in the village of New Stuyahok and how many students were in the school.

MR. GRIESE replied the village was 550 people, and the school, Pre-K - 12, was 150 students. He added that he sometimes had to travel between 8 and 60 miles to deliver special education needs, and since the village was off the road system this travel was often completed by boat or snow machine.

CO-CHAIR DRUMMOND confirmed that he traveled throughout the district and did not just stay in the village.

MR. GRIESE replied yes, but primarily he was in New Stuyahok.

CO-CHAIR DRUMMOND asked if prior to COVID-19, SESA staff made on-site visits.

MR. GRIESE replied yes, two to three times a year, in addition to doing work online, he added.

8:51:17 AM

REPRESENTATIVE PRAX sought to clarify SESA worked directly with students in addition to working with teachers.

MR. GRIESE explained SESA provided staff training, but that working with kids and families was necessary to know how to train teachers, especially in the village. He added this approach was the best way for students' independence to progress.

REPRESENTATIVE PRAX clarified SESA came to a district of a teacher's request.

MR. GRIESE replied yes, and it was up to the teacher to keep the ball rolling.

8:56:53 AM

NATALIE VORON, Special Education Teacher, Sitka School District, also spoke to the invaluable service SESA provided, especially with its specific materials for different levels of Autism. She related anecdotally SESA's delivery of an integral resource in just two days, and the multiple ways in which the organization has been able to help students, families, and teachers alike.

[8:59:47 AM](#)

CO-CHAIR DRUMMOND asked how SESA was able to deliver in just two days.

MS. VORON replied through GoldStreak flight service.

[9:00:56 AM](#)

The committee took an at-ease from 9:00 a.m. to 9:02 a.m.

[9:03:42 AM](#)

CO-CHAIR DRUMMOND announced HB 43 was held over.

[9:03:57 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 9:04 a.m.